

**DISTRICT COURT OF THE VIRGIN ISLANDS  
DIVISION OF ST. THOMAS AND ST. JOHN**

<b>UNITED STATES OF AMERICA,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>v.</b>	)	<b>Case No. 3:20-cr-0039</b>
	)	
<b>ROMEO WALTER, KENAN THOMAS, and</b>	)	
<b>NIJOHNTEA WALKER,</b>	)	
	)	
<b>Defendants.</b>	)	
_____	)	

**ORDER**

**BEFORE THE COURT** is Defendant Romeo Walter’s (“Walter”) Motion to Continue June 10, 2022 Evidentiary Hearing, filed May 25, 2022. (ECF No. 162). Walter, through counsel, requests that the hearing be continued by at least ninety (90) days.<sup>1</sup> For the reasons stated herein, the Court will grant the motion.

On February 10, 2022, following the departure of the original DNA analyst at Bode Technology (“Bode”), Bode advised counsel for Walter that there was insufficient DNA on the swabs taken for analysis and that additional swabs would need to be tested. On May 23, 2022, Bode advised counsel for Walter “that they were currently on-track to complete the analysis by early to mid-July 2022.” *Id.* ¶ 9. In his motion, Walter argues that completion of the DNA analysis and the resulting report are necessary to 1) determine whether a Daubert hearing will be required to challenge the United States’ (the “Government”) DNA expert; 2) determine whether he will be presenting a DNA expert at trial; and 3) prepare an adequate defense. Walter additionally argues that the continuance will not prejudice either the Government or any co-defendant and “that the extension sought is in the interests of justice.” *Id.* ¶ 12. As such, the Court finds it is necessary to continue the evidentiary hearing to permit sufficient time for the DNA analysis to be completed.

Moreover, in response to the COVID-19 pandemic, the undersigned, as Chief Judge of the District Court of the Virgin Islands, issued a general order concerning operations of the

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<sup>1</sup> The Court reminds the parties to comply with LRCi 7.1(g) when filing motions to continue in the future.

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Court on May 30, 2022, suspending in-person court proceedings through June 30, 2022. The Court hereby fully incorporates the findings from the Court's Thirty-Eighth Operational Order as fully stated herein.

The premises considered, it is hereby

**ORDERED** that Defendant Walter's Motion to Continue June 10, 2022 Evidentiary Hearing, ECF No. 162, on Defendant Thomas' Motion to Suppress Evidence and Statements, is hereby **GRANTED**; and it is further

**ORDERED** that the evidentiary hearing in this matter previously scheduled for June 10, 2022, is **CONTINUED** to commence promptly at 9:30 A.M. on September 1, 2022, in St. Thomas Courtroom 1 before Chief Judge Robert A. Molloy.

**Dated:** June 7, 2022

/s/ Robert A. Molloy  
**ROBERT A. MOLLOY**  
Chief Judge